

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
)	
Completing the Transition to Electronic Filing,)	WT Docket No. 19-212
Licenses and Authorizations, and Correspondence)	
in the Wireless Radio Services)	

COMMENTS OF AT&T SERVICES, INC.

AT&T Services, Inc., on behalf of its affiliates (“AT&T”) respectfully submits these comments in response to the Commission’s *Notice of Proposed Rulemaking* (“NPRM”) seeking to “continue[] and build[] upon the Commission’s modernization efforts” with regard to the Universal Licensing System (“ULS”) and Antenna Structure Registration (“ASR”) databases.¹ Many of the Commission’s proposed requirements would not impact AT&T as AT&T’s filing processes are entirely electronic except in situations where electronic filing is not possible, and thus AT&T takes no position on many of the proposals in the NPRM. However, AT&T urges the Commission to use this proceeding as an opportunity to consider other ways in which it can make its ULS and ASR systems more streamlined, transparent, and user-friendly. In addition, AT&T believes that the Commission’s rules for service of documents should be clear and consistent, and the Commission should proceed cautiously in changing these rules.

¹ *Completing the Transition to Electronic Filing, Licenses and Authorizations, and Correspondence in the Wireless Radio Services*, Notice of Proposed Rulemaking, FCC 19-87, ¶ 1 (Sept. 3, 2019) (“NPRM”).

I. THE COMMISSION SHOULD BROADLY CONSIDER REFORM AND MODERNIZATION OF ULS, ASR, AND OTHER ONLINE FILING SYSTEMS.

In the NPRM, the Commission has proposed a variety of rule changes that would “further expand the use of electronic filing and electronic service.”² AT&T supports the Commission’s efforts to “reduce regulatory burdens and environmental waste” and “mak[e] interactions with these systems more accessible and efficient for those who rely on them.”³ AT&T already processes all its FCC filings electronically except in instances where it is not possible to do so. Therefore, except as indicated herein, AT&T takes no position on the proposals made by the Commission in the NPRM. That said, AT&T also encourages the Commission to think more broadly about how to modernize and reform ULS – and other online databases – to be more transparent, functional, and user-friendly.

The time has come for the Commission to consider broad updates and overhauls to its licensing databases. As the Commission observes in the NPRM, the ULS has been used for electronic licensing for more than 20 years.⁴ Although the Commission has made incremental updates to ULS, it is essentially the same database that launched more than 20 years ago. With the passage of time, the limitations of ULS have become increasingly clear. In the NPRM, the Commission concedes that there are certain categories of filings that the ULS cannot handle electronically and that must be filed and processed manually, including two-step transactions,

² *Id.*

³ *Id.*

⁴ *Id.* at ¶ 5 (“In 1998, the Commission adopted mandatory electronic filing for some applications and related filings in the ULS.”).

subleases, and certain requests for Special Temporary Authority.⁵ In addition, there are several filings envisioned and required by the Commission's rules that were never made available on ULS, such as the assignment of a lease and the conversion of a short-term lease to a long-term lease.⁶ For these filings, the Commission prescribed workarounds and suggested that additional functionality might be added to ULS later, but that has not happened.⁷ In this proceeding, the Commission should consider how it could update ULS to enable some or all of these classes of filings to be filed electronically, and to bring its filing capabilities more in line with existing rules.

AT&T recognizes that the Commission has limited funding and that upgrades to online filing systems will be expensive. AT&T believes that Section 309(j) of the Communications Act should be amended to permit the Commission to receive a certain amount or percent of proceeds from each auction to upgrade and maintain its auction software and online filing systems and databases.⁸ Alternatively, Congress should consider other ways to dedicate funding to this important purpose. It is essential that licensees be able to perform their regulatory obligations in

⁵ *Id.* at n. 16.

⁶ *The Wireless Telecommunications Bureau Announces FCC Form 608 is Available for Filing Spectrum Leasing Notifications and Applications and Private Commons Arrangements*, Public Notice, DA 06-1723, at 3 (Aug. 28, 2006)

⁷ *Id.* (“If, at a later date, it is determined that electronic filing for subleases and/or private commons arrangements is needed, the Bureau will issue a public notice regarding when it would become available.”). *See also id.* at 4 (“In order to allow all subleases and private commons arrangements to be submitted manually, the Bureau, pursuant to delegated authority, waives section 1.913(b), on its own motion, *until such time as electronic filing becomes available* for subleases and private commons arrangements.”) (emphasis added).

⁸ The Communications Act already provides that in some cases, auction proceeds may be directed toward funds other than the Treasury. 47 C.F.R. § 309(j)(8).

an efficient manner, and that licensees and the public have the benefit of a well-performing, transparent, and user-friendly interface.

II. THE COMMISSION'S RULES FOR SERVICE OF PLEADINGS AND DOCUMENTS SHOULD BE CLEAR AND CONSISTENT.

The NPRM also seeks comment with respect to service of pleadings related to applications filed in the ULS and ASR systems. Specifically, the Commission asks whether it should (1) permit service of documents electronically and (2) eliminate service requirements in cases where pleadings are available online.⁹ These pleadings are generally filed electronically via ULS or ASR and are available to the public shortly after filing, but some Commission rules require service on other parties, with manual service as the default method.

As an initial matter, it is unclear whether the Commission intends its contemplated changes to service requirements to apply to all filings, or just to applications and/or pleadings filed in ULS and ASR.¹⁰ If the Commission creates a separate set of service rules for particular filings and/or filing systems, it will sow confusion and make it more likely that a party to a proceeding does not receive necessary information. AT&T submits that regardless of what service requirements the Commission adopts, these requirements should not vary depending on the database where a document is filed.

With respect to the Commission's proposal that electronic service be permitted, the Commission's rules already permit service via email (or any other means agreed upon by the

⁹ NPRM at ¶ 10.

¹⁰ The Proposed Rules do not include proposed rule text with respect to service of documents. NPRM at Appendix A.

parties) where the party to be served consents to such service.¹¹ Although AT&T does not oppose the Commission's proposal to explicitly permit electronic service, AT&T believes that rule changes are not necessary to permit the behavior the Commission seeks to encourage, especially because the Commission does not propose to make electronic service the default option or prohibit manual service.

As for the Commission's proposal to eliminate certain service requirements, the Commission should not eliminate service requirements even in cases where electronic filings are publicly available. Service requirements ensure that parties to certain types of contested proceedings receive information that directly affects their interests. Requiring service of documents enables parties to access necessary information in the event something happens that delays the posting of applications or documents online, such as a database outage, weather event, or government shutdown. Service of documents is a relatively simple process that does not impose significant burdens upon parties, particularly if the Commission chooses to explicitly permit electronic service. Because service requirements are reserved for higher-stakes filings such as petitions for reconsideration and petitions to deny, a certain degree of redundancy with regard to document availability is in the public interest.

¹¹ 47 C.F.R. § 1.47(d).

III. CONCLUSION

The Commission's online licensing databases are essential tools that have served to streamline various processes related to wireless licensing and deployment and provide information to the public on how spectrum resources are used. AT&T urges the Commission to take the steps necessary to maintain, update, and modernize ULS, ASR, and other systems to ensure their public interest function is preserved and enhanced.

Respectfully Submitted,

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